

REMARKS

Claims 1-11 and 13-21 are pending in the application. Claims 1-5, 7-11 and 14-20 are amended, claim 12 is cancelled, and claim 21 is newly added. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

In the Office Action, the Examiner rejected claims 1, 3-7 and 18-20 under 35 U.S.C. §112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Specifically, the Examiner asserted that the recitation “any perceivable pattern” is indefinite because it does not limit the object type which can be illuminated.

Applicants respectfully submit that the scope of the subject matter covered by the recitation “a perceivable pattern”, as recited in amended claims 1, 2 and 9, is clear, and submit that it is not necessary to limit the type of object which can be illuminated. Applicants respectfully submit that the Examiner has improperly equated breadth with indefiniteness in rejecting the claims under 35 U.S.C. §112, 2nd paragraph. Thus, respectfully submit that the 35 U.S.C. §112, 2nd paragraph rejection is improper, and request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claims 1-9 and 17-20 under 35 U.S.C. §102(e) as being anticipated by Low et al. (U.S. Patent Application Publication No. 2004/0046741).

Applicants’ independent claims 1, 2 and 8, as currently amended, recite a pointing device which includes, inter alia, a light emitter, an image-acquisition area, a converter,

and a contact sensor which surrounds the image-acquisition area and controls an on/off state of the light emitter or the converter.

Low et al. discloses a peripheral input device 20. On page 12 of the Office Action, the Examiner acknowledges that Low's input device 20 does not include a contact sensor.

Thus, Applicants respectfully submit that Low fails to disclose or suggest a pointing device which includes a contact sensor which surrounds an image-acquisition area and controls an on/off state of a light emitter or a converter, as recited in Applicants' independent claims 1, 2 and 8.

For at least this reason, Applicants submit that Low does not anticipate the inventions recited in Applicants' claims 1-9 and 17-20, and thus, respectfully submit that the Examiner withdraw the 35 U.S.C. §102(e) rejection.

In the Office Action, the Examiner rejected claims 10-16 under 35 U.S.C. §103(a) as being unpatentable over Low et al. in view of Junod et al. (U.S. Patent Application Publication No. 2002/016094). Applicants respectfully submit that Junod et al. fails to overcome the above-noted deficiency of Low et al.

Junod et al. discloses a mouse 10 which includes sheet electrodes 14 and 18, which are connected to a capacitive detection circuit for detecting when a hand is touching or in close proximity to the electrodes. See, e.g., Figure 1 and paragraph [0023] of Junod et al.

Applicants respectfully submit that Junod's sheet electrodes 14 and 18 are not positioned around an image acquisition area. In this regard, Applicants submit that Junod's mouse 10 does not even include an image acquisition area. Further, Applicants

submit that Figure 1 of Junod et al. shows that the sheet electrodes 14 and 18 are located at an area of the mouse 10 which contacts a base of a hand, whereas Low's image-acquisition area (touch pad 26) is located at an area of the input device 20 which contacts a finger. See, e.g., Figure 1 of Low et al.

Applicants further submit that Junod's electrodes 14 and 18 do not control and on/off state of a light emitter or a converter. Rather, Applicants submit that Junod et al. merely discloses that the electrodes 14 and 18 activate an interrupt input to bring the mouse 10 out of an idle state.

For at least these reasons, Applicants respectfully submit that the combination of Low et al. and Junod et al. fails to suggest a contact sensor which surrounds an image acquisition area and controls an on/off state of a light emitter or a converter, as recited in Applicants' claims 1, 2 and 8.

For at least these reasons, Applicants respectfully submit that the inventions recited in Applicants' independent claims 1, 2 and 8 are not obvious in view of Low et al. and Junod et al. Thus, Applicants respectfully request that the Examiner withdraw the 35 U.S.C. §103(a) rejection of claims 10-16, which depend from claims 1, 2 and 8.

Applicants have added new dependent claim 21, which depends from claim 2, for the Examiner's consideration. Applicants respectfully submit that claim 21 is in condition for allowance, at least in view of its dependency from claim 2, and respectfully request that the Examiner indicate such in the next Office communication.

Based on the above, it is respectfully submitted that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

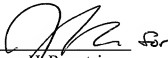
Reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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